

CHAPTER 4

USE OF FORCE AND WEAPONS POLICIES

- 0401. General
- 0402. Use of Force
- 0403. Methods of Force
- 0404. Arming Law Enforcement Personnel
- 0405. Weapons Policies
- 0406. Prisoner Handling
- 0407. Detention Cells

26 JUL 2000

## CHAPTER 4

## USE OF FORCE AND WEAPONS POLICIES

0401. GENERAL

a. There are varying degrees of force that may be justified in a law enforcement situation depending upon its gravity. The escalation of force must be consistent with the need for the least amount of force required to resolve the situation.

b. Law enforcement/security personnel may only use that level of force necessary to control/stop unlawful resistance, and to prevent the commission of a serious offense involving violence and threatening death or serious bodily harm.

c. Use of force guidelines are applicable in overseas areas to the extent that they satisfy applicable provisions of international agreements or arrangements relating to law enforcement and security matters.

0402. USE OF FORCE. Use of force policies are set forth in reference (g). All Navy law enforcement personnel will have a working knowledge of those policies. Briefings on use of force policies will be given quarterly, acknowledged by signature, and entered in individual training records.

0403. METHODS OF FORCE. Commanding officers must ensure that Naval Security Forces are provided standard law enforcement equipment and trained in its use to ensure that the minimum force necessary is applied. The minimum amount of necessary force will be used in all situations. These methods/means are listed from the least severe to the most severe on the following continuum:

a. Verbal commands. Issued in order to have persons comply with requests in non-threatening situations. This might include asking disputants to separate or asking a subject to produce documents under legitimate circumstances, e.g., drivers license during a routine traffic stop.

b. Physical apprehension and restraint techniques, e.g., come-along holds, take-downs.

c. Handcuffs. To be used for safe custody, for a limited period of time, and for the protection of law enforcement personnel as well as the detainee.

d. Riot Control Agents (RCA) (CS and Oleoresin Capsicum (OC)). RCAs may be used to subdue, in self-defense, or protection of a third party, if circumstances warrant their use.

(1) If RCAs are used, personnel will receive medical attention as soon as possible. A person who has been sprayed will not be released until he/she has been advised of the safety

26 JUL 2000

measures to be taken, or until medical treatment has been received.

(2) Use of OC Pepper Spray is authorized for use and complies with reference (g). Because it is environmentally safe, biodegradable, and produces rapid physiological reaction in low concentrations, OC spray is now preferred.

(3) Law enforcement personnel will not be issued chemical agents until they have been trained in their use and knowledgeable of safety precautions involved with chemical agents, including necessary medical treatment following its use. Because of the variety of products available, training will be tailored according to manufacturer's recommendations.

e. Police Batons. Police batons may be issued at command discretion provided appropriate training has been provided and documented. Commands should include manufacturers' prescribed training for the side-handled police baton and collapsible baton. It is permissible to provide local training for the standard police baton. Collapsible batons are now preferred for shipboard environment.

f. Military Working Dogs.

g. Other DoD-approved non-lethal weapons may be used.

h. Firearms. No firearms shall be drawn and readied for use unless actual force would be authorized under the circumstances and per established guidelines.

0404. ARMING LAW ENFORCEMENT PERSONNEL. The authority to arm law enforcement and security personnel is vested in the commanding officer by U. S. Navy Regulations, 10 U.S.C. 1585, and reference (h). In exercising this authority, the commanding officer will be guided by the following:

a. No person shall be armed unless qualified in the use of the firearm assigned. Qualification includes satisfying all the firing requirements of reference (h) and receiving a use of force briefing quarterly.

b. Personnel who fail to achieve/maintain the required proficiency may be assigned to duties which do not require the carrying of firearms.

c. Qualified personnel will be issued an Authorization to Carry Firearms form (OPNAV 5512/2), which must be in their possession while carrying a firearm.

26 JUL 2000

#### 0405. WEAPONS POLICIES

- a. Personal weapons are not authorized to be carried by duty personnel. Only government-owned weapons are permitted to be carried.
- b. Weapons will not be carried off-duty. Weapons will be issued for use on duty and will be stored in an approved security container at security headquarters when not required for duty.
- c. Weapons may be carried off-base by security personnel when in a duty status, such as transporting prisoners, travel between activities, etc. Security supervisors must insure compliance with applicable Federal and local statutes/Status of Forces Agreements.
- d. Only ammunition obtained through the Navy supply system may be used in government-owned weapons. Special ammunition, such as bird-shot, wad-cutters, etc., is strictly prohibited for law enforcement and physical security uses, but may be used by Game Wardens and for training.
- e. The carrying of unloaded weapons by on-duty personnel is prohibited, except for safety reasons while on the firing range or while participating in training exercises.
- f. When weapons are stored, weapons storage facilities will meet the requirements of reference (i).
- g. Fully loaded weapons will be carried, per reference (h). The decision to load weapons on board ships continues to rest with commanding officers based on their evaluation of current conditions.
- h. Shotguns, when carried in a vehicle must be secured in an approved shotgun locking mount, or locked and secured in the patrol vehicle's trunk.

#### 0406. PRISONER HANDLING

- a. Personnel will use the minimum force necessary to apprehend, detain, transport, and process violators.
- b. Persons apprehended will be searched and restrained. When restraining any subject with handcuffs or other devices, the hands will be behind the back unless approved "travel cuffs/waist chains" are used. Handcuffs will be double-locked.
- c. When transporting prisoners in vehicles:
  - (1) Prisoners will be secured in the vehicle by use of seat belts. Offenders will not be handcuffed to any part of the vehicle.

26 JUL 2000

(2) Law enforcement personnel will not engage in vehicle pursuits, high speed, or erratic driving.

(3) Law enforcement personnel will inspect the prisoner compartments of vehicles for contraband and weapons prior to and after each use, and will search prisoners prior to placing them into a vehicle for transport.

(4) When prisoners or suspects are to be transported by a person of the opposite sex, the driver will notify the dispatcher of the vehicle's mileage before starting the transport, and a record of the time and mileage will be recorded in the Desk Journal. Upon arrival at the destination, the dispatcher will again be notified of the ending mileage, and the time and mileage will be recorded in the Desk Journal. When possible, another patrol officer should ride in the transporting vehicle or follow in a vehicle directly behind.

0407. DETENTION CELLS. The operation of detention cells is the responsibility of the security officer. When a detention cell is available, the following standards will apply:

a. Detention cells must be certified per reference (j), which specifies the requirements for processing of detainees and prisoners.

b. Standard operating procedures will be prepared.

c. Only designated personnel will be allowed into the detention cell area. Personnel working in the area will not be armed with any weapon, including firearms, riot control agents, batons, or other such devices unless in the performance of duties such as during prisoner disturbance.